

HOUSE BILL REPORT

EHB 1227

As Passed House:

March 4, 2009

Title: An act relating to recreational vehicles used as primary residences in manufactured/mobile home communities.

Brief Description: Concerning recreational vehicles used as primary residences in manufactured/mobile home communities.

Sponsors: Representatives Springer, Warnick, Johnson, Liias, McCune, Ormsby and Morrell.

Brief History:

Committee Activity:

Local Government & Housing: 1/26/09, 2/4/09 [DP].

Floor Activity

Passed House: 3/4/09, 88-7.

Brief Summary of Engrossed Bill

- Prohibits counties, cities, towns, and code cities from adopting an ordinance preventing the entry or requiring the removal of a recreational vehicle used as a primary residence in manufactured/mobile home communities.
- Authorizes counties, cities, towns, and code cities to pass certain ordinances regarding utility hookups and plumbing facilities in manufactured/mobile home communities.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass. Signed by 9 members: Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Miloscia, Short, Springer, Upthegrove, White and Williams.

Minority Report: Do not pass. Signed by 1 member: Representative Cox, Assistant Ranking Minority Member.

Staff: Sara del Moral (786-7291)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

Cities, towns, code cities, and counties, may not enact any ordinance that has the effect of discriminating against consumer decisions to locate a home unless the ordinance is equally applicable to all homes. However, the law authorizes municipalities to require that manufactured homes be new and that such homes comply with all local design standards.

Additionally, statutes allowing jurisdictions to place age and design criteria on manufactured housing apply only to housing to be sited in:

- new manufactured/mobile home communities; or
- outside of manufactured/mobile home communities.

Summary of Engrossed Bill:

Except in certain cases, cities, towns, counties, and code cities are prohibited from adopting ordinances that restrict the entry or require the removal of recreational vehicles used as primary residences in manufactured/mobile home communities unless the recreational vehicle fails to comply with fire, safety, or other local ordinances or state laws related to recreational vehicles.

Local governments enacting an ordinance that does either of the following are exempted from the prohibition:

- requires that utility hookups in manufactured/mobile home communities meet state and federal building code standards for these communities; or
- requires a recreational vehicle to contain both an internal toilet and an internal shower. If this requirement is not met, the manufactured/mobile home community hosting the recreational vehicle must provide toilets and showers.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Recreational vehicles (RVs) are a home of last resort for people facing foreclosure or homelessness as a result of the recession. They are also used by temporary workers, people with disabilities, and seniors. Seniors can live near family in the same community.

If RVs are barred from manufactured/mobile home communities (MHC), they have few places to go. People should be allowed to find a safe place. The RV parks may be an alternative, but they are expensive, and the tenants are transient; it is not a safe home.

The RVs should meet the same code requirements as other residences.

The Landlord-Tenant Act (Act) states a tenant cannot be evicted without probable cause. Owners complying with Pasco's order to evict would violate the Act.

The MHC owners face challenges as smaller lots designed for older mobile homes go vacant. These lots are perfect for RVs. The RVs placed on small lots help owners by helping them keep the MHC open. They help residents by helping rents stay lower.

(Opposed) Cities are concerned about life safety issues for residents of RVs and their neighbors. This bill affects safety. It allows RVs in spaces not set up to accommodate them. Many RVs in these situations have faulty wiring and poor water connections as the result of do-it-yourself installation. The definition of RV is too broad. Pasco has many examples of unsafe housing. Cities would have to write safety and health codes for RVs, and this would be costly.

Persons Testifying: (In support) Representative Springer, prime sponsor; John Woodring, Ken Spencer, Paul Lombardi, and Theresa Janzen, Manufactured Housing Communities of Washington; Lizabeth Meyer; Paul Lawson; Christina Dugoni; Bob Kapela; and Seth Dawson, Washington State Coalition for the Homeless.

(Opposed) Dave Williams, Association of Washington Cities; and Rick White, City of Pasco.

Persons Signed In To Testify But Not Testifying: None.